



17364 U.S.PTO  
012004

**MAIL STOP PATENT APPLICATION**  
Commissioner of Patents  
PO BOX 1450  
Alexandria, VA 22313-1450

**PATENT**

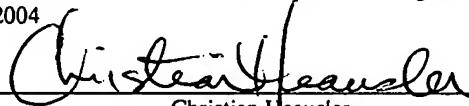
Attorney Docket No. 1310.03

22390 U.S.PTO  
10/760616  
012004



**Certificate of Express Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Express Mail No. ET 949 730 726 US in an envelope addressed to MAIL STOP PATENT APPLICATION; Commissioner for Patents; PO Box 1450; Alexandria, VA, 22313-1450, on the following date: January 20, 2004



Christian Heausler

**NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of:

Inventor(s): **MARK JEFFERY SMITH**

For: **WIRELESS COMMUNICATION DEVICE**

**1. Type of Application**

This new application is for a(n):

Utility application.

The current application claims priority to co-pending U.S. Patent Application Serial No. 60/471,978 filed May 20, 2003, which is incorporated herein by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application**

12 Pages of specification

2 Pages of claims

1 Page of abstract

4 Sheets of [X] informal or [ ] formal drawings (FIG 1, 2, 3, and 4)

3. **Declaration or Oath**

Enclosed executed by inventor.

4. **Non-publication Request under 35 U.S.C. § 122(b)(2)(B)(i)**

Enclosed and signed in compliance with 37 C.F.R. § 1.33(b).

5. **Language**

English

6. **Postcard**

A postcard is attached

7. **Fee Calculation (37 CFR 1.16)**

Utility application

A. Number of claims as filed	9
B. Number of independent claims as filed	1

Filing Fee Calculation  $[\$770 + [(A-20) \times \$18 + (B-3) \times \$86]]$  \$ 770.00

8. **Small Entity Statement(s)**

Applicant claims small entity under 37 CFR § 1.27.

Filing Fee Calculation (50% of above) \$ 385.00

9. **Fee Payment Being Made At This Time**

Enclosed

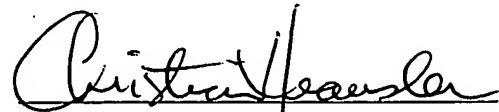
Basic filing fee \$ 385.00

Total fees enclosed \$ 385.00

10. **Method of Payment of Fees**

Commissioner is hereby authorized to charge the \$385.00 filing fees and any other fee deficiencies associated with this filing to Deposit Account No. 50-1313 in the name of Buskop Law Group. A duplicate copy of this transmittal is attached.

Date: January 20, 2004



Christian N. Heausler  
Christian N. Heausler, Reg. No. 50,771

Send correspondence to:

Wendy K. Buskop  
Buskop Law Group, P.C.  
1717 St. James Place, Suite 500  
Houston, Texas 770560.

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of:**

**MARK JEFFERY SMITH**

**Group Art Unit: Not Assigned**

**Serial No.: Not Assigned**

**Examiner: Not Assigned**

**Filed: Concurrently Herein**

**For: WIRELESS COMMUNICATION  
DEVICE**

**Atty Dkt No.: 1310.03**

**NONPUBLICATION REQUEST UNDER 35 U.S.C. § 122(b)(2)(B)(i)**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. § 122(b).

1/20/04  
\_\_\_\_\_  
Date

  
Christian N. Heausler, Reg. No. 50,771

This request must be signed in compliance with 37 C.F.R. § 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. § 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. § 122(b)(2)(B)(iii)).**